

REMARKS

Presently Claims 1-2, 4-5, and 7-16 are pending. Claim 1 has been amended to incorporate the features of previous Claims 3 and 6. Claims 13-16 are new. Claim 1 as amended and Claims 13 and 15 are patentable over Barillot 6,527,090 and Mori et al 6,003,642 for the reasons discussed below.

Claim 1:

Claim 1 is patentable over Barillot 6,527,090. In the previous Office action, the Examiner, while analyzing the Barillot reference, selectively chose not to reject Claims 3 and 6, apparently because he realized Claims 3 and 6 were patentable over the 6,527,090 patent. Newly amended Claim 1 includes both Claims 3 and 6 and therefore is patentable for the reasons observed by the Examiner in the previous Office action.

Claim 1 is also patentable over Mori et al. 6,003,642. In the Office action of 10-15-2008, the Examiner asserted that Mori discloses Claim 6. With regard to the rejection of Claim 6, the Examiner noted that the Applicant should “see notches portion 58, see Fig. 2b.” Applicant has reviewed Fig. 2b in detail and has determined that the elements shown near portion 58 in Fig. 2b are not notches or any other type of indentation. Though the portion circled on Fig. 2b (left) may appear to be a notch in this figure, Fig. 4 (right) which is an alternate view of the same embodiment clearly illustrates that the portion circled in Figure 2 is merely an attempt by the draftsman’s of the ‘642 patent to show three dimensional depth. As plainly shown in Figure 4, element 58 is a small flap of metal (which Mori calls a hold claw.) Please see Col. 4, lines 40-50 which explains how the hold claws work. As apparent from Fig. 4 there are no gaps, notches, or indentations of any type in the spring member near portion 58. Consequentially, Mori does not anticipate Claim 1.

FIG.2b

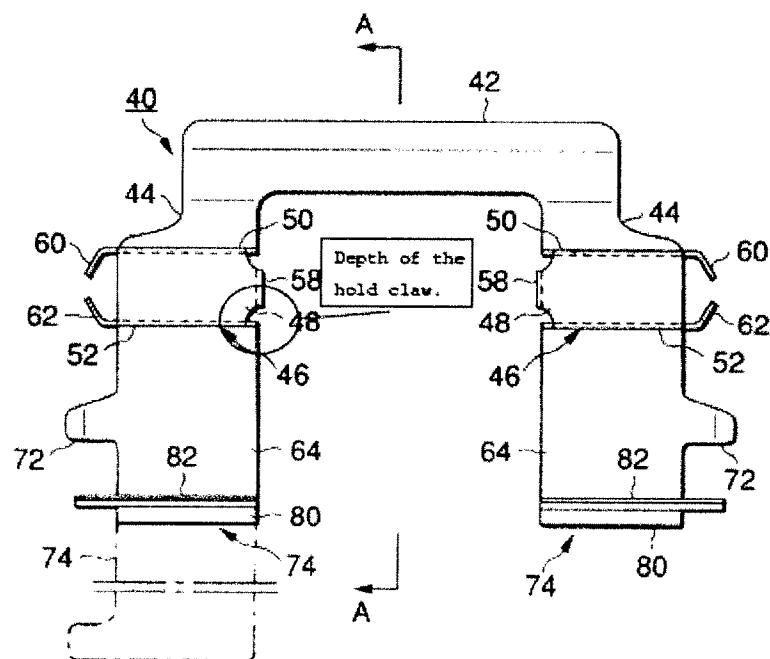
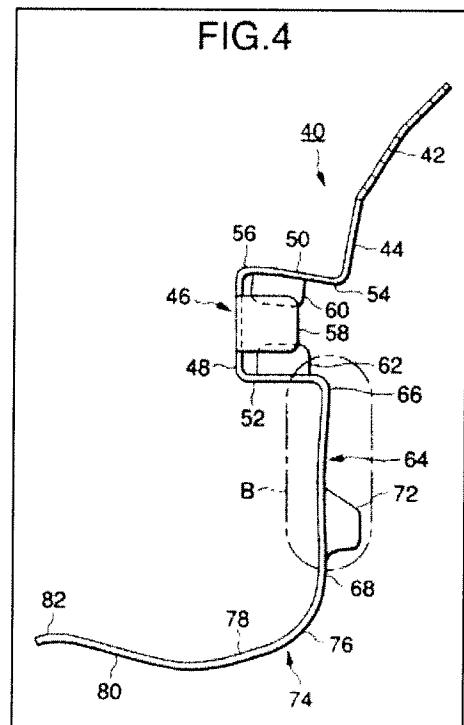


FIG.4



Claim 13-16:

Claims 13 and 15 are directed to a spring member containing several features which distinguish the claimed invention from the disclosure of Mori or Barillot. More specifically, neither Mori nor Barillot disclose a “connecting arm being separated from the first section of the first limb by a first recess” as claimed. These references also do not disclose a “connecting arm comprising a first and second finger for attachment to the yoke for limiting movement of the spring member” as claimed. Moreover, neither reference discloses the “first and second recesses permitting resilient bending between the connecting arm and the first section of each limb” as claimed. For at least these three separate reasons Claim 13 and 15 are patentable over Mori and Barillot.

Claims 14 and 16 are separately patentable over the Mori and Barillot patents because these claims require the first limb to contain a first, second, and third lead-tab integrally attached to the third section, first resilient portion, and second resilient portion. Neither Mori nor Barillot discloses this combination of features. Therefore Claims 14 and 16 are separately patentable over Mori and Barillot.

CONCLUSION

In view of the foregoing, Applicants respectfully request that the Examiner consider the elected claims for examination on the merits. A timely allowance of the pending claims is requested.

In the event that an appropriate fee amount is not enclosed by check for any fees due in connection with the filing of this Response or requisite extensions of time, please charge any deficiencies or credit any overpayments to Deposit Account No. 50-1349.

Finally, the Examiner is invited to contact the undersigned by telephone to discuss any matters that the Examiner feels may expedite the progress of the present application toward allowance.

Respectfully submitted,

Dated: January 15, 2009

HOGAN & HARTSON LLP

555 13th Street, N.W.
Washington, D.C. 20004
Telephone: 202-637-5600
Facsimile: 202-637-5910
email: dcptopatents@hhlaw.com
Customer No.: 24633

By: 

Celine Jimenez Crowson
Registration No. 40,357

Paul A Roberts
Registration No. 56,990